

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF ARKANSAS  
PINE BLUFF DIVISION**

**BERRY MORROW**

**PLAINTIFF**

v.

**CASE NO. 5:14CV00152 BSM**

**GAYLON LAY, DONALD TATE, SR.,  
JIMMY KIRTELEY, and LARRY MAY**

**DEFENDANTS**

**ORDER**

The proposed findings and recommended disposition (“RD”) submitted by United States Magistrate Judge H. David Young have been reviewed. No objections have been filed. After careful consideration, the RD are hereby approved and adopted in their entirety in all respects.

IT IS THEREFORE ORDERED that:

- 1 Berry Morrow’s complaint [Doc. No. 2] is dismissed with prejudice with respect to the claim that his housing conditions amounted to cruel and unusual punishment;
- 2 The complaint is dismissed without prejudice with respect to Morrow’s claims that his packages were stolen and he was discriminated against based on his religious beliefs for failure to exhaust administrative remedy.

IT IS SO ORDERED this 1st day of April 2015.

  
UNITED STATES DISTRICT JUDGE